

**77-23a-15 Order for installation -- Contents -- Duration -- Extension -- Disclosure.**

- (1) In general, upon an application made under Section 77-23a-14, the court shall enter an ex parte order authorizing the installation and use of a pen register or trap and trace device within the jurisdiction of the court, if the court finds that the attorney for the government or the law enforcement or investigative officer has certified to the court that the information likely to be obtained by the installation and use is relevant to an ongoing criminal investigation.
- (2)
  - (a) An order issued under this section shall specify:
    - (i) the identity, if known, of the person to whom is leased or in whose name is listed the telephone line to which the pen register or trap and trace device is to be attached;
    - (ii) the identity, if known, of the person who is the subject of the criminal investigation;
    - (iii) the number and, if known, physical location of the telephone line to which the pen register or trap and trace device is to be attached and, in the case of a trap and trace device, the geographical limits of the trap and trace order; and
    - (iv) a statement of the offense to which the information likely to be obtained by the pen register or trap and trace device relates.
  - (b) The order shall direct, upon the request of the applicant, the furnishing of information, facilities, and technical assistance necessary to accomplish the installation of the pen register or trap and trace device under Section 77-23a-16.
- (3)
  - (a) An order issued under this section may authorize the installation and use of a pen register or trap and trace device for a period not to exceed 60 days.
  - (b) Extensions of an order may be granted, but only upon an application for an order under Section 77-23a-14 and upon the judicial finding required by Subsection (1). The period of extension shall be for a period not to exceed 60 days.
- (4) An order authorizing or approving the installation and use of a pen register or trap and trace device shall direct that:
  - (a) the order be sealed until otherwise ordered by the court; and
  - (b) the person owning or leasing the line to which the pen register or trap and trace device is attached, or who has been ordered by the court to provide assistance to the applicant, not disclose the existence of the pen register or trap and trace device or the existence of the investigation to the listed subscriber, or to any other person, unless otherwise ordered by the court.

Enacted by Chapter 251, 1988 General Session